

REMARKS

In accordance with the above amendments, claims 2, 3 and 15 have been canceled and claim 1 has been amended. Thus, claims 1, 4-6 and 8-14 remain under consideration in this application.

Whereas no claim stands as having been allowed, claims 5, 10 and 11 have not been rejected, but stand as being objected to as being dependent upon a rejected base claim. The Examiner has indicated that they would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant gratefully acknowledges the indication of the allowability of claims of that scope.

Claim Rejection Under 35 USC § 102(b) based on USPN 4259814

It is noted that claims 1, 4, 6 and 15 were rejected under 35 USC § 102(b) as being anticipated by Glasser et al (USPN 4,259,814). This rejection is respectfully traversed as will be discussed.

We have amended claim 1 to specify that the first rail is movably mounted on the mounting body to enable the lateral position of the rectilinear path to be adjusted when the apparatus is in use, and that each end of the first rail is mounted on an eccentric rotatably supported in the mounting body such that adjustment of the lateral position of the rectilinear path is achieved by rotation of the eccentrics. Former claims 2

and 3 provided support for this amendment.

As described with respect to the preferred embodiment with reference to the figures, that reference discloses a sharpening machine (10) which includes a housing (12), an external, rotatable abrasive wheel (16), a tool support table (18) and a support structure (20). The support structure enables selective support and shifting of table (18), as desired. The support structure (20) further includes a pair of opposed plates (70,72) which are pivotally coupled to the housing (12). Three elongate, rigid bars (74,76,78) are provided which extend between the plates (70,72). The three elongate, rigid bars (74,76,78) include an uppermost bar (74), an intermediate bar (76) and a lower bar (78).

The tool support table (18) is slidably mounted to the uppermost bar (74) and the intermediate bar (76). This enables tool support table (18) to slide relative to bars (74,76) along a rectilinear path as shown.

Important differences exist between the structure of that disclosure and applicant's claimed device. Please note, for example, that because the support structure 20 is pivotally connected to the housing (12), it is not possible to adjust the lateral position of tool support table (18) towards or away from the housing (12 and abrasive wheel (16). In other words, unlike with applicant's claimed device, it is not possible to adjust the

lateral position of the rectilinear path along which the tool support table (18) is able to move.

As a result of the above limitation, one operating the device of the '814 patent is only able to control the amount of material removed from a tool being sharpened by physically holding the tool on the support table (18) and moving the tool relative to the support table (18). Because the operator has to hold and move the tool in this way, it impairs the accuracy and/or profile of any cutting edge created during the sharpening process.

Accordingly, the ability of the device of the present invention to adjust the lateral position of the rectilinear path presents a clear advantage not disclosed in the '814 patent reference. Because the reference does not disclose or teach each and every claimed element or limitation, the rejection under 35 USC § 102(b) cannot properly be maintained and reconsideration and withdrawal of this rejection is respectfully requested.

Claim Rejection Under 35 USC § 103

Claims 2, 3, 8, 9 and 12-14 stand rejected under 35 USC § 103(a) as being unpatentable over Glasser et al (USPN 4,259,814) in view of Girard (FR 615617). This rejection is respectfully traversed.

Glasser et al '814 has been discussed in relation to the lone remaining independent claim, claim 1, above with respect to

35 USC § 102(b). Applicant's presently claimed device is further seen to present a clear inventive step over the concept of '814 reference given the importance of the improved design.

In the disclosure of FR 615617, Figures 1 and 2 show a sharpening apparatus that includes a grinding wheel (12) which is mounted on a base (11). A generally planar tool support (2) is pivotally coupled to a pair of end plates (7). Each end plate (7) is, in turn, moveably secured to the base (11) via a respective elongate bar (8). Each bar includes a threaded portion and a handle. Rotation of a handle causes the corresponding elongate bar to move relative to a threaded housing (9). Such movement also moves the corresponding end plate (7), thereby adjusting the lateral position of the tool support (2) relative to the grinding wheel (12). Accordingly, an operative is able to adjust the lateral position of the rectilinear path along which the tool support (2) is able to move by rotating the handles.

The above arrangement, while operable, is relative complex and requires coordination between the operation of each handle in order to effect smooth and even adjustment of the lateral position of the rectilinear path along which the tool support (2) moves.

FR '617 does not disclose or suggest the provision of a pair of eccentrics to enable adjustment of the lateral position of the

rectilinear path.

In contrast, the sharpening apparatus recited in claim 1 requires that the lateral position of the rectilinear path, along which the cradle for holding a blade-like implement to be sharpened is able to move, is adjustable, and that each end of a first rail is mounted on an eccentric rotatably supported in the mounting body such that adjustment of the lateral position of the rectilinear path is achieved by rotation of the eccentrics.

Moreover, the inclusion of a pair of eccentrics provides smooth and even adjustment of the lateral position of the rectilinear path along which the cradle moves. This allows an operative to readily and accurately control the amount of material removed from the blade-like implement during the sharpening process.

With regard to the combination of USPN 4,259,814 and FR 615,617, it should be noted that neither one of these references suggests mounting each end of a first rail on an eccentric rotatably support in a mounting body as required by the present claims. Accordingly, it is submitted that one skilled in the art could not achieve the device of the present invention by combining the teachings of the two patents, absent a clear inventive step not suggested by either of them.

Based on the above, applicant remains convinced that the apparatus of claim 1 is both novel and unobvious based on the

cited document used either singularly or in combination. In addition, claims 4-14, which depend from claim 1, also should be in condition for allowance.

Claim 15 has been canceled and so issues raised in the Official Action concerning that claim are believed to have been rendered moot.

Accordingly, based on the above amendments, taken together with the remarks herein, the Examiner is respectfully requested to reconsider his position, withdraw the present rejections and allow all of the remaining claims.

Should issues remain which, in the opinion of the Examiner, could be resolved by telephone interview, he is invited to contact the undersigned attorney at his convenience to discuss and resolve same and attempt to resolve same in an effort to expedite prosecution of this application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "C. G. Mersereau", written in a cursive style.

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